

REMARKS

Claims 1-2 and 4-13 remain pending in the above-referenced application and are submitted for the Examiner's reconsideration.

Regarding the prior art rejection, Applicants submit that one skilled in the art would not have combined, at the time of the invention, TRAH and TURON-LAGOT in order to arrive at the subject matter of Claims 1 and 11. As the Examiner correctly stated, TRAH does not disclose a current-measuring device. Such a current-measuring device is missing in the introduced device since no temperature measurement is provided. In general, no physical measurement of the fluid to be pumped is intended; instead, the device serves purely as a micro pump.

In contrast, a measuring device for a fluid is known from TURON-LAGOT, the device having a sensor and a heating resistor which may be present as an individual element in a special embodiment. While the heating resistor is arranged in a "chamber 20", it is no chamber into which the fluid flows or from which the fluid is discharged. Instead, due to the "wall of mainpart 12", the chamber provides protection for the heating wire or the sensor from direct contact with the fluid. In contrast, our Claim 1 claims: "... an electrical heating element situated in the fluid...". Since the TURON-LAGOT publication explicitly states to avoid direct contact of the heating element with the fluid ("... such as electrical resistance, placed inside of a metallic sensor, against a face of said sensor in contact with the fluid", column 1, lines 61-64), it teaches the opposite of the procedure of TRAH. Starting from the TRAH teaching, one skilled in the art will not consider the TURON-LAGOT teaching since this teaching has no knowledge of a fluid chamber and represents a teaching that is contrary to TRAH, in particular, namely to arrange the heating element or the sensor in such a way that it is protected from direct contact with the fluid. Thus, it is technically impossible to satisfy both stipulations from TRAH and TURON-LAGOT.

It is therefore respectfully requested that the objections and rejections be withdrawn, and that the present application issue as early as possible.

Respectfully submitted,

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